

City of Issaquah
Major Development Review Team (MDRT)
Administrative Site Development Permit

NOTICE OF DECISION

TO: Jeff Parker
Safeway, Inc
1121 124th Ave NE
Bellevue, WA 98005

SUBJECT: Administrative Site Development Permit for Block 4E, Issaquah Highlands

Number: ASDP12-00001

Decision Date: April 10, 2012

Request: Application for an Administrative Site Development Permit for 3300 sq.ft. convenience retail building on the north end of the block and a gas station with 750 sq.ft. convenience store on Block 4E, Lot 1 containing 1.2 acres. The project consists of a single story retail building with a two-bay drive-thru and a 16 pump gas station covered by a canopy with small store. The proposal also contains surface parking (14 stalls for the retail and 5 stalls for the gas station) and landscape.

Location: Block 4E, Lot 1, Development Area 4 of Issaquah Highlands, bordered by:
South: NE Discovery Drive
East: Highlands Drive NE; Block 21 (High Streets retail – SDP approved, only infrastructure improvements permitted)
North: NE Ellis Drive; Block 1 (ASDP for grocery store approved)
West: 9th Ave NE; (owned by Microsoft, SDP has expired)

Decision: On April 10, 2012, the MDRT approved the Administrative Site Development Permit application. Approval of this application is based on the original January 11, 2012 submittal and March 9, 2012 resubmittal (convenience retail), and is subject to the following conditions:

NOTES

1. If any of the Conditions or portion thereof is declared invalid or unenforceable, the application must be remanded to the Responsible Official for reconsideration and evaluation for consistency and appropriateness of the remaining Conditions.
2. Appeals may be filed by the applicant, the City Responsible Official, property owners within three hundred feet of the proposed action, or other persons claiming to be directly harmed by the proposed action within 14 calendar days after the Responsible Official issues the decision and mails it to the applicant. Appeals shall meet the Criteria identified in Section 8 of Appendix L of the Development Agreement and follow the process identified in that Section.
3. Any major change (as determined by the Responsible Official) to the approved site plan or accompanying submittal information may require a revision to this ASDP or a new ASDP review and decision. Less substantial changes may be approved administratively by the Responsible Official.
4. Building, utility, and sign permits will not be approved unless all applicable Conditions of this Notice of Decision are satisfied to the satisfaction of the Responsible Official.
5. This action does not indicate nor imply that any development activities may occur without the required permits being issued.
6. This ASDP approval expires three years from the Decision Date or as otherwise provided by IMC 18.04.220.

Note: All references to “convenience retail” refer to the building in the northeast corner of Block 4E; all references to “convenience store” refer to the building associated with the gas station.

Entitlement

1. This permit will be for Additional Commercial/Retail Development (Mitchell-Hill TDR) and will be required to pay impact fees with the building permit.

Site

2. In the event the project is phased, the Responsible Official has the right to apply additional conditions with Building or Utility Permits to ensure each phase complies with the Development Agreement, such as but not limited to access, fire circulation, parking, and landscaping requirements, and minimizes construction impacts to adjacent neighbors. If the project is built in phases or construction is delayed, interim landscape shall discourage invasive plants from sprouting and establishing. Routine maintenance of these areas will look for and remove invasive plants.
3. Unless expressly identified, approval of this ASDP application does not modify any City or Issaquah Highlands Development Agreement standards which are in conflict with elements of the ASDP plan or application. Modification of the standards or guidelines requires an explicit approval in the Notice of Decision for this application or a separate Modification as allowed under Appendix M of the Development Agreement.
4. Any inconsistencies, conflicts, or incomplete information, other than those addressed directly by this Decision shall be resolved by the Responsible Official, utilizing the Staff Report, and in consultation with the applicant, at the time of the future application (e.g. Building, Utility, Sign Permits).

Landscape

5. Street trees on Highlands Drive, Ellis Drive, and 9th Ave will match the type (genus, species) previously planted on the other side of the street. Street tree installation (tree wells or parking strips) on all three streets surrounding the site will match that on the opposite side of the street, except 9th Ave where a parking strip may be used at the applicant's discretion. Street trees shall closely follow the spacing and alignment used on the opposite side of the street. Street trees may only be removed due to entry drives and not for signage. With the City Arborist's supervision, trees may be limbed and trimmed to improve signage visibility; or, relocated, with the Responsible Official's approval, along the frontage to create visibility vistas as long as tree health is not

compromised. Prior to the issuance of any construction permit, existing street trees shall be protected in place during construction.

6. The Highlands Drive edge of the gas station and the Ellis Drive edge of the convenience retail shall be considered parking lot edges. Required parking lot hedges or screening shall be provided on these sides. Hedges may be substituted by vertical structures as required by the Sixth Amendment, during Building or Utility Permit. These improvements must be on-site.
7. All landscaping will be drought tolerant to minimize irrigation.
8. On future landscape permits, trees and shrubs shall be appropriately scaled for the location in which they will be placed and the mature size of the plant. Use symbols representing about 85% of the mature plant's size to facilitate placement review.
9. Any tree located within 4 ft. of a public street, curb, sidewalk, or similar publicly owned and maintained paving must have at least 10 lineal feet of root barrier placed adjacent to pavement.
10. Evergreen trees should not be used in the parking lot unless they can be sited in large planting beds away from parked cars.
11. A preliminary landscape review occurred with this permit submittal. More detailed, joint ARC/MDRT review will occur with the landscape permit; the applicant must comply with the ARC's landscape review comments. The following are preliminary landscape comments (see Reasons for Decision for more information):
 - Both uses must comply with the Traditional Townscape standards in terms of selected plant materials.
 - Landscape for the convenience retail at the north end must comply with the Traditional Townscape standards, e.g. formality of placement.
 - Landscape for the gas station must utilize more variety in planting size, rather than such pervasive use of groundcovers (primarily north of the entrance drives), to introduce structure and maintain formal landscape character.
 - Grasses used in a Traditional Townscape project shall be planted in masses to create a carpet rather than emphasizing individual plants. If a carpet effect cannot be created, other plants shall be selected.
12. Compliance with the water conservation standards shall be evaluated as part of the Utility Permit for landscape.
13. At the time of submittal for a Utility Permit for landscaping, the applicant shall submit a landscape maintenance plan consistent with the requirements of Appendix D (Landscape Management and Restricted Materials for the protection of Groundwater, Section III.A) and Issaquah

Highlands best management practices. All landscape maintenance shall comply with these maintenance requirements.

Pedestrian

14. All vehicular entries to the site must be designed as driveway entrances using standard curb ramps. All grade transition for the driveway entry shall occur in the planter strip area, with no perceptible grade change to the sidewalk. Except for the vehicular entry to the gas station on 9th Ave, driveways are limited to 24 ft of width with 2 ft wings on either side. The 9th Ave driveway width (for the gas station) shall be determined based on truck turning movements. In addition, this driveway shall be designed to reduce private vehicular speeds while maintaining necessary and safe functioning for fueling truck's access.
15. Each building shall have its primary pedestrian entry from a street and they shall be designed to highlight the presence of the entry by including architectural treatment, change in streetwall, and/or other acceptable response. Weather protection shall be provided at every pedestrian entry. Additional entries may face parking or the interior of the site.
16. Other than building mounted lighting, no lights shall be taller than 15 ft., unless otherwise approved by the Responsible Official.
17. All exterior staircases and walkways (on-site) shall be at least 5 feet wide, clear of intruding handrails, mature landscape, car overhangs, light poles, tables and chairs, etc. Planter beds adjacent to walkways, shall select plants whose mature size will not impact the walkway width. There shall be at least two steps in each stair and they shall be generally level.
18. Show street furniture on the appropriate utility or building permits. Benches shall be located where they will be used and useful, as well as to comply with the Sixth Amendment.
19. Fall protection shall be provided where there is 2.5 ft or more of fall, or pedestrians shall be kept at least 3 horizontal ft away from the drop. For example: south end of the convenience retail; gas station site south of each of the vehicular entries.
20. Weather protection shall be provided at each primary building entry and is encouraged along other primary pedestrian routes, i.e. Highlands Drive, and at the required corner elements. Weather protection shall be at least 8 ft above the sidewalk and extend at least 6 ft over the sidewalk and no more than 12 ft above the sidewalk and extends at least 8 ft over the sidewalk. For heights in between 8 ft and 12 ft, the minimum extension over the sidewalk shall be extrapolated between 6 ft and 8 ft of extension over the sidewalk.

Buildings and Urban Design

21. Street facing facades shall have windows and doors to allow views into the building. For example, the convenience store requires additional building transparency facing the street.
22. The majority of street frontages shall have vertical structures to create a streetwall and to fully screen on-site parking areas. Vertical structures include buildings, screen walls, and/or canopies with vertical elements. Sight triangles and sight lines will be taken into consideration in siting these features. In addition, amenities will be provided along Highlands Drive such as weather protection and benches.
23. Buildings either must be moved to the sidewalk or very close to it, or provide elements to create the perception that there is no or minimal setback of buildings. Appropriate elements include extension of the sidewalk and/or canopies, structured landscape, and/or a wall behind the sidewalk, as approved by the Responsible Official.
24. Provide significant architectural and/or landscape features at site corners. This only applies to the two northern corners at the Ellis Drive intersections with 9th Ave and Highlands Drive.
25. Provide architectural treatment for the vehicular entry from Ellis Drive and Highlands Drive to minimize their presence to the pedestrian while not obscuring their presence to drivers. This does not apply to vehicular entries/exits from 9th Ave.
26. Design buildings with strong, iconic, and/or interesting corners at intersections. This could include the height of the corner portion of the building, its shape (in contrast to the rest of the building), colors and materials, weather protection, etc.... This only applies to the convenience retail building in the northeast corner of the block.
27. During building permit review, the Applicant shall indicate how the proposed structure incorporates sustainable building practices in site development. If LEED certification is not pursued, the applicant shall provide the City with a report documenting how the development of this project enhanced the sustainability of the community. This report shall be submitted prior to Temporary Certificate of Occupancy for the Building and completed prior to Certificate of Occupancy.
28. Blank walls shall be avoided, especially at the pedestrian's level; if necessary, articulation or other features shall be provided. Appropriate articulation and features include doors, windows, building articulation, and/or other architectural features to create an interesting and varied environment.

29. Site walls must be designed consistent with Traditional Townscape (which would preclude the use of rockeries) and any walls 4 ft or greater in height shall be reviewed and approved by the Building Department prior to construction. All walls must be located within Lot 1 or as approved by the Responsible Official.
30. Elements extending into right-of-way shall conform to the requirements of the *Issaquah Highlands Sidewalk Use and Design Standards and Guidelines*, revised in June 2007, and will be reviewed with the Building Permit.

Parking

31. Prior to issuance of a building permit, update Town Center parking map (AM07-008IH) to be consistent with the parking counts of this permit and the regional parking maximums.
32. One bike parking space is required at each use. The bike racks shall be positioned to not block sidewalk, walkways, entrances, parallel parking, etc... as well as to function when full of bicycles; the racks shall likewise be accessible when adjacent activities, such as parking are occurring. Final bike rack locations must be shown on Building or Utility (e.g. landscape) Permit. The actual number of bike parking spaces may be adjusted by the final square footage.
33. With permits for construction, clarify how required loading of one Type A is accommodated on each site.
34. Consider providing parking spaces for motorcycles, super sub-compacts, electrical vehicles, etc.... If provided, these spaces shall be specifically designated.
35. The number, type, and location of ADA compliant parking spaces is not approved by this permit and shall be reviewed by the Building department before or during the building permit review. The applicant should meet with the Building Official prior to the submittal of any construction permits to confirm the number and distribution of ADA parking stalls.
36. Adopted standard stall dimensions shall be the maximum; adopted compact stall dimensions shall be the minimum. Stalls smaller than standard stall dimensions, in one or both directions, shall be considered compact stalls.
37. On the retail site, drive aisles, drives and vehicular routes, where cars will not be backing out, will be only 20 ft wide; where all standard or a combination of standard and compact stalls are located, drive aisles will be 24 ft wide; where only compact stalls are located on a drive aisle, it may

be reduced to 22 ft, though for design simplicity the drive aisle may be 24 ft wide.

38. Parking stalls which have low landscape or additional hardscape at the head of the stall, may reduce the paved portion of the stall length by up to 2 ft as long as the car can overhang the landscape or hardscape by an amount equivalent to the reduction. The overhang shall not impact pedestrian walkway widths or the proposed landscape. This shall be clearly indicated on all building or utility permits. Wheel stops may not be used in combination with curbs. Landscape in appropriate locations may be counted to the 10% parking lot landscape requirement.

Roads and Drives

39. If the applicant converts a portion of the existing northbound turn lane on Highlands Drive NE to a sidewalk and planting strip as proposed, the right-of-way shall be used for pedestrian improvements such as sidewalk and planter strip, and not for other uses as shown in the application.
40. Right-of-way improvements will comply with the approved standards (AM02-003IH and AM02-005IH) as well as the modification for 9th Ave, AM12-00001. Sidewalks must provide the 8 ft minimum width, except where right-of-way use is allowed.
41. Prior to or with the submittal of a Utility Permit to construct either drive onto 9th Ave, a traffic flow analysis supporting the second driveway must be submitted.
42. NE Ellis Drive must be restriped and signed to facilitate driver orientation and maximize pedestrian safety at the driveway intersection. This condition will be enforced during Utility Permit Review.
43. A speed limit sign must be installed on the western side of Highlands Drive NE at the approximate north/south center of the block. In addition, for a six-month period following construction, a temporary sign shall be installed (then removed after six months) stating that a new driveway has been added and the lane revised.
44. All curbs at Issaquah Highlands must be vertical, unless otherwise approved by the MDRT such as for fire access or some other unique circumstance, and shall comply with city standard details. No extruded curbs are allowed.

Utilities

45. The Utility Permit for the gas station shall include a narrative and details to implement and comply with the Sixth Amendment, specifically addressing the following items:

- a. Minimize stormwater runoff by implementing LID;
 - b. Separate stormwater from fueling and non-fueling areas;
 - c. Intercept stormwater from reaching the dispensing areas;
 - d. Mechanical or grade-related contouring for spill containment in the dispensing areas;
 - e. Compliance with the 2009 King County Surface Water Design Manual, Special Requirement #5 (Appendix D, Exhibit 1, Part II – Oil Control);
 - f. Compliance with Ecology, Volume IV, Source Control BMP's for Fueling at Dedicated Stations (Appendix D, Exhibit 1, Part III);
 - g. Compliance with COI CARA Class 1 and Class 2 Hazardous Material Management; and
 - h. Impervious liner protection under all tanks, pipes and piping.
46. A separate submittal must be made to the MDRT showing the details of the gasoline storage and dispensing systems, and their respective compliance with the requirements of the Sixth Amendment. Approval of the separate submittal must be made prior to approval of the Utility Permit which enables construction of the gasoline tank or dispensing systems.
47. Separate stormwater systems must be provided on-site. Stormwater from surfaces that might come in contact with fuel from the dispensing operations must be directed to the 1st Ave Water Quality Pond. Stormwater from the remainder of the site must be directed to the West 45 Vault. All drains from retaining walls shall be connected to the West 45 Vault stormwater system.
48. At the applicant's discretion and to minimize cuts to the existing right-of-way paving, some wet utilities may be combined:
- a. A double side-sewer and an extension to the convenience retail (north end) building may be used in lieu of the new side-sewer connection on NE Ellis Drive, or a grinder pump may be added to the convenience service (gas station) building and a single sewer connection provided at NE Ellis Drive.
 - b. A single water service may be used with a split service to each property with separate meters.
49. Premise isolation is required for all building services.
50. Utility Permits shall include a summary table identifying the pervious and impervious area included in that specific permit and a table identifying the off-site capacity requirement or impact from that specific permit (i.e. maximum sanitary flowrate, maximum fireflow requirement, 1, 5, 10 and 100-year stormwater discharges, etc).
51. All dry and wet utility vaults, meters, equipment, and appurtenances (including FDCs and PIVs) are assumed to be shown on the ASDP submittal. Anything not shown on the ASDP submittal is assumed to be located within the structure. Any revisions or additions to what is shown

in the ASDP, and approved or conditioned, outside of the structure require a modification to the ASDP, except fire hydrants.

52. Design and placement of the above ground facilities, such as buildings, walkways, significant plant materials, etc... should take priority over the convenient location of utilities, unless this would significantly compromise the function of the utilities. On all subsequent permits, utilities and their necessary easements shall be shown.
53. The lighting plan shall maintain lighting at the minimum necessary for safety, and balances the goal of minimizing night glow and off-site lamp visibility with pedestrian scale lighting. This may include fixture location, turning off fixtures late at night/early in the morning, etc.... Lighting shall be full cut-off fixtures and designed to minimize light spill from the property and night glow. The lighting plan shall comprehensively address building, street, parking lot, and landscape lighting so that lighting impacts are not compounded in portions of the site by overlapping illumination patterns. The illumination calculation shall include all fixtures that contribute light to the site (poles, bollards, building mounted lighting), including adjacent street lights. Low wattage decorative fixtures such as sconces or porch lights may be excluded from the calculation. No uplighting is allowed.
54. All existing unused utility stubs shall be capped at the unused mainline connection and removed.
55. All mechanical equipment, utilities, appurtenances, etc... shall be screened. Equipment, above-ground utilities, appurtenances, etc... shall be located away from pedestrian areas, with at least enough distance to allow landscape screening. Equipment located on rooftops including HVAC and mechanical equipment shall be fully screened from view both above and below.

Miscellaneous

56. Signs will require a separate permit. A separate evaluation of the conceptual sign plan will be provided to the applicant.
57. A two-foot maintenance and repair easement shall be granted prior to Certificate of Occupancy. However, where and if a building or wall is located at the back of sidewalk, the easement is not necessary.
58. The waste enclosure for each use must be sized to accommodate all three waste streams even if the user won't use all three streams. Each applicant must provide calculations indicating the basis and assumptions for enclosure sizing, for confirmation by the City and their waste purveyor. Additional detailed review will occur with future construction review.

Reasons for Decision:

1. The purpose of the ASDP process is to ensure that proposed projects are:
 - consistent with Issaquah Highlands and City policies and regulations;
 - designed to harmonize with the neighborhood types;
 - designed with consideration of the site attributes (topography, wetlands, waterways, and views);
 - designed for the efficient and effective layout of the infrastructure; and
 - designed to achieve, protect, and enhance the character of Issaquah Highlands.Finally, the planning level review of the ASDP allows an applicant to obtain a land use decision prior to preparing detailed construction plans. As such, the plans are intentionally conceptual in nature and will likely receive further refinement and development during development of construction plans. Additional permits will be required for signs, buildings, and on-site improvements and utilities.
2. The proposal has been reviewed for its consistency with Issaquah Highlands' development standards. With incorporation of the conditions, the application is generally consistent with these standards including uses (Appendix B, as amended by the Sixth Amendment), stormwater (Appendix D), heights and setbacks (Appendix N), parking (Appendix O), landscape (Appendix P), and urban design guidelines (Appendix S).
3. The proposal has been reviewed for its consistency with previous approvals. Block 4E was created by the dedication of the surrounding streets: Ellis Drive, Highlands Drive, and 9th Ave (20030110002528). A Lot Line Adjustment, LLA03-009IH, and a Short Plat were approved, SP09-003IH, creating Lot 1, which contains this proposal, and Tract QQ to the south of these uses. The application as conditioned is consistent with these permits. (Note the site size on the application is incorrect. 60,593 sq.ft. is the total size of Block 4E; Lot 1 is 52,015 sq.ft.)
4. The Master Developer has identified that the Allowable Development for this proposal will come from the 1st Amendment to the Development Agreement. Use of that Allowable Development also requires impact fees to be paid with the permit for building.
5. Ellis Drive, Highlands Drive, and 9th Ave are covered by the following modifications establishing their street standards:
 - AM02-003IH for Highlands Drive and 9th Ave (called just Highlands Dr or the SPAR couplet)
 - AM02-005IH for Ellis Drive (called E Dr in the AMM)In both decisions, sidewalks are 8 ft wide and planter strips are 4.5 ft wide (which includes the curb). In this current proposal, no changes are proposed to the existing improvements along Ellis Drive. No street improvements located behind the curb have been constructed on Highlands Drive or 9th Ave. The proposal removes the sidewalk from 9th Ave and street trees remain as allowed/required by AM12-00001; see next Reason for Decision regarding its conditions of approval. The proposed dimensions of the sidewalk and planter strip along Highlands Drive are not consistent with the road standard for Highlands Drive or the requirements of AM12-00001 but there is sufficient room to accommodate the required elements. Also this proposal proposes to shift the sidewalk and planting strip out of the

block and into the right-of-way (by shortening the left-turn queue). Any improvements which are placed within the right-of-way must be consistent with right-of-way use, such as sidewalk and planter strip. Development related improvements such as retaining walls, parking lot hedges, etc... should be on-site and not placed in the right-of-way especially if they reduce the area necessary to accommodate the standard right-of-way improvements.

6. AM12-00001, a modification allowing the sidewalk to be removed from the 9th Ave side, has three conditions of approval; condition text is followed by its status, in italics, relative to this proposed ASDP:

1. For the portion of the road where the sidewalk has been omitted, there will not be allowed a reduction in the number of required street trees.

Street trees are shown in approximately the correct locations. This has been conditioned.

2. No intrusions will be allowed within the right-of-way in this location.

No right-of-way intrusions are shown on the 9th Ave side.

3. Treatment of the walkway along the eastern side and southern portion of Block 4E will provide amenities (e.g. weather protection, benches, etc.) similar to those found in a Feature Pedestrian Way (Appendix T) to compensate for the omission of the walkway along the western side of this property.

No elements are shown; this has been separately conditioned in conjunction with conditions associated with the Sixth Amendment.

7. To modify the Development Agreement to allow gas stations, the City Council approved an amendment, called the Sixth Amendment. It contained various requirements related to both storm/groundwater and land use limitations.

Storm/Groundwater:

This Project must comply with special development and operating regulations identified in the Sixth Amendment to the Development Agreement for Issaquah Highlands. Much of the information needed to ensure that the project has met the Sixth Amendment standards is beyond the scope of the ASDP process and will be regulated in conjunction with Utility Permits. Compliance includes specifics about stormwater discharge into the appropriate stormwater basin. Also the information necessary to ensure compliance is broadly multi-department and must be reviewed by the MDRT, the Building Department, Eastside Fire and Rescue, and Public Works Engineering. Since these departments are not involved in Utility Permit approvals, a separate submittal must be made which can be circulated for multi-department review and comment.

Land Use Limitations: (condition followed by status in italics)

1. The fueling station may only be permitted for construction if there exists a grocery store or market, consisting of at least 15,000 square feet, already permitted for construction (issued Building Permit) within the Town Center area of Issaquah Highlands, as established through Final Plat.

ASDP11-00007 is an approved land use permit for a grocery store of 40,000+ sq.ft.

Building permit issuance will be linked between these to ensure the gas station is permitted subsequent to the grocery.

2. Only allowed on Block 4E or within the Issaquah Highlands Town Center as established through Final Plat; where stormwater from the site would not impact the Lower Reid Infiltration Gallery, as determined by the Responsible Official and, limited to no more than one (1) fueling station within Issaquah Highlands.

This proposal is for Block 4E thus precluding a gas station in any other location of Issaquah Highlands.

3. Must be developed under the following sustainable commitments:
 - a. Will incorporate sustainable building practices in site development.
This will be reviewed with the Building permit. A condition has been placed on this permit.
 - b. All landscaping will be drought tolerant to minimize irrigation.
A condition has been placed on this permit to implement this criterion.
 - c. A minimum of 2 parking stalls for use as charging stations for fully-electric vehicles.
The operator may decide at their discretion how to equip the charging station depending on market and technology trends.
Two electric charging stations have been shown in the ASDP.
 - d. Lighting will be full cut-off fixtures and designed to minimize light spill from the property and night glow.
The lighting condition for this permit includes this language.
4. Must be developed meeting the following design commitments:
 - a. The fueling station must be sited with another use that encourages pedestrian access.
In addition to the fueling station, this proposal contains a Convenience Retail use on the north end of Block 4E.
 - b. The fueling station must be developed under the Traditional Townscape neighborhood design guidelines.
The application identifies the Neighborhood Type as Traditional Townscape. Conditions have been placed on the permit to achieve these guidelines. This includes building placement and orientation to the sidewalk.
 - c. The development of the property must meet the pedestrian-friendly guidelines of Issaquah Highlands.
The application has been conditioned to meet the pedestrian friendly guidelines such as driveway widths and design, entry and building placement, character of building and its design.
 - d. All structures shall be designed to reinforce the sociable public realm. Attention shall be paid to entrances, weather protection and views into the buildings.
The application has been conditioned to achieve a sociable public realm including elements identified in this criteria, buildings and street trees framing a pedestrian way, additional elements to provide a streetwall, increased windows and doors toward the street for the convenience store, etc....
 - e. Asphalt surfaces will be minimized and driveways will be limited. If developed on Block 4E, the project shall only have 1 driveway on Highlands, 1 driveway on 9th and 1 driveway on Ellis. Additional driveways may be allowed by the Designated Official, subject to a traffic flow analysis.
Driveways have been limited both in number and width. Two driveways are proposed on 9th Ave and additional traffic flow analysis will be provided prior to approval of Utility Permits to construct either of the 9th Ave drives.
 - f. Vertical structures (buildings, screen walls and/or canopies) will be utilized along a majority of the street frontages to create a street wall.
Buildings and drive-thru canopies have been sited near street frontages. Additional screens walls are a condition to comply with the Sixth Amendment and AM12-00001.

- g. On-site parking shall be fully screened from surrounding streets.
Siting of buildings, canopies, and additional screens to comply with the Sixth Amendment 4.f and AM12-00001 will screen parking areas. A condition has been placed on this permit to implement this criterion.
 - h. On-street parking may be provided on the south side of NE Ellis Drive between 9th Avenue NE and Highlands Drive NE.
On-street parking is not proposed along NE Ellis Drive; however the applicant may choose to add this at a future date.
 - i. If located on Block 4E, vertical structural elements such as wind turbines, project signage or artwork are encouraged to be installed in the southern portion of the property to announce the arrival at Issaquah Highlands or the retail shopping district.
The southern portion of Block 4E is a separate lot, Tract QQ. As the fueling station is located on Block 4E, the southern portion of the block is encouraged to incorporate these elements. The design of Tract QQ is incorporated into the overall retail center's Site Development Permit, which has been submitted for review.
 - j. Provide building transparency for car washes, convenience stores, etc. to enliven the streetscape.
A condition has been placed on this permit requiring additional transparency for the proposed convenience store.
 - k. Distinguish walkways from driving surfaces by using varied pavement treatments.
Pedestrian circulation is predominately on the exterior of the site, as concrete sidewalks. Internal to the two land uses, the convenience retail shows concrete walkways for pedestrians. There are no internal walkways within the fueling station site.
 - l. Design on-site circulation to minimize potential conflicts between pedestrians and vehicles.
With the predominant pedestrian circulation being sidewalks around the sites, driveways are the only opportunities for conflict between pedestrians and vehicles. Driveways are minimized both in number and width. Internally pedestrians will circulate between parking and fueling to buildings. Overall the sites are designed to encourage drivers to slow down and to provide clear sight lines.
 - m. Provide significant architectural and/or landscape features at site corners to counterbalance the quantity of pavement on site.
A condition has been placed on this permit to implement this criterion.
8. Block 4E allows residential, retail, and commercial uses. Though heights were not included in this application, it appears that they are easily within the established limits. This will be confirmed with building permit. As no single family detached uses share the block with the non-residential uses, no setbacks are required.
9. AM01-008IH simplified the FAR limit for Development Area 4 by applying it on a district-wide basis while leaving unchanged the maximum allowable commercial development. This district-wide allowed density is a FAR of 1.5; if all of the Issaquah Highlands' allowable commercial and retail development, including the TDRs, was built in Development Area 4 there would only be a FAR of .5. All other scenarios reduce the FAR even more by spreading the non-residential development over a larger area.

10. When an ASDP is submitted, the entire development of the property must be shown, even if it will be built in phases. A project built in phases allows areas to be used for parking and other construction or temporary needs, construction of separate uses, as well as timing construction to respond to the. However, the City of Issaquah code requires that following grading, landscape must be installed no longer than 3 years after the grading occurs; a bond will be collected with the permit to ensure this landscaping occurs. Additional conditions may be necessary to ensure that sufficient services and facilities for functionality, safety, etc... are provided for each phase, e.g. landscape, parking, etc.... Finally, during the time that a site is undeveloped, installed landscape and its maintenance need to ensure that invasive plants do not become established.
11. Appendix O of the Development Agreement establishes parking quantity and dimensional requirements as well as parking for bicycles, loading, etc.... The original Appendix did not apply to Development Area 4 or the Expansion Areas. AM01-013IH modified Appendix O to expand its applicability to include these areas. The following table summarizes the required parking for the Block 4E proposal per the Development Agreement, Appendix O. No other code applies to the Project except, per Section 3.23 of the Main Body, when the Agreement does not establish Development Standards covering a certain subject, such as in the case the Gas Stations. In that case, city codes in effect apply. Issaquah Municipal Code 18.09.050 states (and this is the standard used to review the Gas Station):
Service Station w/ Grocery 2.5 spaces per work area or bay + 1 per 200 sq. ft. GFA

Use	Required Parking
3,800 sq.ft. Convenience Retail under 15,000 sq.ft. GFA	
Max: 1 stall per 200 sq.ft. GFA	19 (max)
Min: 1 stall per 300 sq.ft. GFA	13 (min)
Gas Station	
Work area or bay = 0	0
200 sq.ft. of GFA of Grocery (750 sq.ft. of convenience store)	4
Total Required Parking Spaces	17-23

Location	Provided Parking
On Site:	
Convenience Retail (including ADA)	
surface parking	14
drive-thru stacking (see below for more information)	2
Gas Station (including ADA)	5
On-street Parking	0
Total Parking provided/available	21

The on-site parking falls within the minimum and maximum allowed for each use individually and combined.

Additional parking requirements:

On street parking: up to 10% of required parking may be a parking credit on adjacent streets. No on-street parking exists but the Sixth Amendment allows on-street parking on Ellis Dr., which the applicant may choose to provide in the future.

Loading: Based on the size of uses, one Type A loading space is required with each use. No loading spaces are shown.

Regional Parking: AM07-008IH (regional parking) created a parking plan for much of the retail and mixed use areas of and near High Streets retail. This AMM also allowed for cross use of parking (parking in one block, shop in another). Currently, the plan approved in AM07-008IH anticipates no parking stalls in Block 4E. The tracking form must be updated to reflect the actual parking.

ADA parking: Each site provides one barrier free parking space; the building department must determine if this is appropriate based on the IBC and ADA requirements.

Drive-thru: A financial institution with two drive-thru windows must have three stacking spaces per window; food related drive-thrus have higher requirements of stacking space. Only two are shown with each window; however, it appears that the three can be provided depending on the actual use. When an actual use is identified, required stacking space will be confirmed. One-third of the stacking spaces may count toward required parking, and is reflected on the parking chart above.

Bike parking: One bike parking spot per 12 vehicular required parking is required. Based on the required parking, one bike parking spot is required with each land use. Bicycle parking is not treated regionally and thus follows the required parking as determined by use. No locations for bike racks are shown; this will be reviewed with construction permits. Placement of the bike racks shouldn't impinge on adjacent uses such as walkways, entrances, parallel parking, etc... when the racks are fully used.

- Wheelstops are shown for the convenience retail use. If curbs are proposed the Applicant must select to either use the overhang or not use wheelstops. No parking appears to use the parking stall overhang detail.
- Up to 50—60% of required spaces may be compact; however, no compact parking appears to be proposed. Further review will occur with permits for construction.
- Motorcycle, super subcompact, and electric vehicle parking is not required; however, provision of these can sometimes be worked into small, leftover spaces, and avoid using a full size, vehicular space for a smaller vehicle.

12. Parking lot standards require drive aisles of a certain width to ensure cars have sufficient distance to back out of parking stalls. Where cars are not backing out, but using the drive aisle solely as a travel lane, the paved width only has to meet minimum travel lane dimensions. The minimum travel lane width, for two-way traffic, is 18-20 ft. Appendix O also specifies parking stall dimensions. The standards for parking lots should be treated as minimums as well as maximums to balance both functionality and reduction of paved areas. Reducing paved areas while maintaining functionality is consistent with Appendix A principles, e.g. # 9: "adequate, safe, and reasonable circulation infrastructure to accommodate anticipated use with a minimum of paving." Thus parking stalls sizes are also kept to the specified stall sizes.
13. Street standards for public and private roads are the same at Issaquah Highlands. With a few exceptions, only vertical curbs are allowed and extruded curbs are not.
14. Sidewalk Use Ordinance allows elements to intrude into the right-of-way when they improve the pedestrian environment, create a public sidewalk that is a place of interest and activity, and maintaining functionality. It appears there aren't any elements that take advantage of the ability to use the ROW. Additional review and actions will be necessary with future permits

and to comply with the standards and guidelines of the ROW Use Ordinance, if elements are placed within the right-of-way.

15. Some improvements related to the proposal are shown outside of Lot 1. In particular the wall at the south edge of the gas station may be in Tract QQ. Right behind the wall are the fuel tanks. Who can maintain, rebuild, etc... the wall should be tied to who owns the tanks to ensure any work is consistent with protecting the tanks.
16. Per Appendix A, Issaquah Highlands is a pedestrian friendly and pedestrian oriented community where pedestrians receive higher priority than vehicles. One aspect of pedestrian priority is that building's entrances are from pedestrian oriented facilities such as a sidewalk or trail, not a parking lot or vehicular oriented area. In addition, where cars and pedestrians cross paths, such as at vehicular drives, the design of these junctures must convey pedestrians' priority and minimize the impacts to pedestrians. This is accomplished by carrying the sidewalk through unchanged rather than making the pedestrian negotiate the drive as if it were a street. As proposed, two driveways cross pedestrian routes on Ellis Drive and Highlands Drive. It appears that the Highlands Drive entry to the gas station is not designed to maintain pedestrian priority but it can be accommodated.
17. At 9th Ave's vehicular entry to the gas station, additional design considerations are necessary due to the turning movements of fueling trucks and their impact on the entry's width. Per Appendix A, it is necessary that the entry functions and the applicant has indicated that a 30-35 ft curb cut is necessary (city maximum is 36 ft); however, appropriate measures should be made to ensure that the additional width doesn't encourage private vehicles to use excessive speed. For example, use of a driveway rather than street cut as well as using a change of materials to create the perception that the vehicular entry's width is narrower than the width necessary for fueling trucks. Since the opening must be wide for truck maneuvering, actions should be taken to reduce the impacts when trucks are not present.
18. Parking lot landscape standards require hedges to provide a more pleasant and defined edge for pedestrians adjacent to parking lots. Though not strictly parking lots, the function and impact on the pedestrian environment of the Highlands Drive side of the gas station and the Ellis Drive side of the convenience retail are similar to parking lots. Thus they must provide the 3 ft hedge as required by the parking lot landscape standards, which it doesn't appear has been incorporated into the proposed landscape. The Sixth Amendment has other requirements along the block's edges to minimize the impacts of the Block 4E uses. The required hedge and the vertical structure requirement may be combined into a single element with the review and approval of the Responsible Official. In general the goal is to: provide pedestrian friendly, defined edge especially where there is no streetwall; improve the pedestrian friendliness of the uses' edge; humanize the edges; reduction of the visual impact as stated in Appendix P's purpose.
19. The Narrative specifies the Neighborhood Type as Traditional Townscape, consistent with the Sixth Amendment. The Neighborhood Type influences site layout, building design, landscape etc.... The proposal complies with most of the Traditional Townscape guidelines: driveway and curb cuts have been kept to a minimum number and are located away from corners, off-street parking will be screened as required by the Neighborhood Type or the Sixth

Amendment; permanent surface parking areas are located behind the building (relative to Highlands and Ellis Drive where pedestrian facilities are located); contiguous pedestrian routes. There are a few aspects of the proposal that are not entirely consistent with the UDG. These are addressed elsewhere in the conditions and Reasons for Decision.

20. Traditional Townscape buildings have no or minimal setbacks. Proposed buildings are placed along Highlands Drive, which is angled relative to the orthogonal grid of the Town Center. The buildings have been placed on this grid rather than parallel to Highlands Drive; and in the case of the convenience retail the building is parallel to Ellis Drive but setback from it. Thus the southeast corners of the buildings are close to Highlands Drive but the northeast corner's are not. To meet the guideline, the buildings either need to be reoriented to Highlands Drive (and for the convenience retail shifted closer to Ellis Drive) or elements introduced that create the perception that the buildings have minimal setbacks. Also per the guidelines "Elements such as low walls, fences, screens, or hedges to delineate private outdoor spaces." To that end, elements should be provided behind the sidewalk, consistent with the Neighborhood Type, to define the street edge. These elements would include extension of canopies, extending the sidewalk, structured walls, structured landscape.
21. Another element in a pedestrian friendly or oriented community is visual interest. Blank walls create a dull pedestrian environment, discouraging pedestrian activity. Thus avoiding unrelieved expanses of wall is necessary. Also Appendix S states: "To avoid a repetitive streetscape, building facades that are visible from public spaces should include features that provide differentiation such as varied types and colors of materials and architectural embellishments and treatments to minimize blank walls and reduce bulk and massing."
22. In a Traditional Townscape neighborhood, "when parking area vehicle entrances or exists interrupt the street-level frontage, they should be ... treated architecturally" This guideline applies to Highlands and Ellis Drives as pedestrians do not have facilities along 9th Ave.
23. An element of the Traditional Townscape neighborhood is "clearly identifiable main building entries." The convenience retail has an entry from Ellis Drive and the gas station's convenience store has an entry from Highlands Drive. The design of each building should communicate that these are the location of the entries though the use of weather protection, changes in roof height, and other elements. In addition, entries are required to be located on pedestrian facilities, not facing parking lots, though secondary entrances may face parking or the interior of a block.
24. Several retaining walls are shown on the site and it is likely that these walls will exceed 4' in height. Issaquah Building Code classifies all walls in excess of 4' tall as structures which must be designed by a structural engineer and be approved through a building permit process. In addition all walls were proposed as rockeries. Traditional Townscape has a level of formality which is inconsistent with the character of a rockery. Thus all walls must be designed consistent with the character of the Neighborhood Type, such as poured in place concrete, modular block, etc...

25. Street standards include planting strips on both sides of the street, and the trees in those strips need to be consistent in terms of the tree type, planting installation, and spacing. In a Traditional Townscape neighborhood, the trees need to be paired to achieve the anticipated formality of landscape character. Also consistency and structure of the street trees is an important component of the sociable public realm as directed by the Sixth Amendment. Since the street trees have been established for the opposite side of the street, this project should match the established tree types, installation, and spacing. While it is important to clearly identify the store's occupant so that pedestrians and drivers can make smart, timely decisions, it doesn't appear necessary to remove trees to achieve this, which it appears the convenience retail use did. Furthermore, there's no basis in the Development Agreement for doing so; however, the applicant can propose to relocate the street trees along the block's frontage.
26. Pedestrian priority is created not just in the ground plane but also by the design and selection of many site and building elements. For instance, lights heights should be pedestrian scaled at no more than 15 ft.
27. Driveway widths are one factor in driving speeds. The driveway should be as narrow as possible to function while promoting low travel speeds as encouraged by Appendix A. The convenience retail business' driveway widths are consistent with project vision in that they are 24 ft. The applicant is showing 27 ft of width for the Highlands Drive entry to the gas station. The minimum for a commercial driveway width of 24 ft is sufficient and there is no reason why this drive should be wider as it will create a safer environment for pedestrians, consistent with the Sixth Amendment. The one driveway that is proposed, and approved to be wider, is the one from 9th Ave into the gas station. Fuel trucks will use this entry to enter and exit the site. These turning movements necessitate a wider drive (30 and 35 ft were shown in various portions of the application). During the design and review of the site construction permits, final width can be determined based on truck turning movements. Though the wider drive may encourage higher private vehicle speeds, this drive doesn't cross pedestrian routes, thus minimizing impacts to the pedestrian environment. Other design elements could be incorporated to encourage slower private vehicular speeds.
28. Consistent with Appendix S, weather protection must be provided at each entry. Awnings, canopies, or a similar element must be provided at each pedestrian entry and between 8 and 12 ft above the walkway, with corresponding widths (6 to 8 ft of depth) to ensure functionality. This is consistent with both Appendix S as well as Appendix A's pedestrian priority and *"create design features to mitigate for the rainy season, extending pedestrian functioning beyond the sunny days."*
29. The landscape is regulated by both Appendix P and the Urban Design Guidelines. Appendix P regulates parking lot landscape. Sheet L1.00 indicates that each parking area can provide the required 10% parking lot landscape. The convenience retail's configuration has changed and revised calculations were not provided. However, the new configuration provides less parking lot area so the site should be able to accommodate the required 10% landscape internal to the parking lot. This will be confirmed with construction permits.

30. Landscape in a Traditional Townscape neighborhood has "...an element of formality." The convenience retail on the north end of the block generally lacks a landscape plan with the structure and formality of layout which is anticipated. The landscape will need to be revised consistent with the Neighborhood Type. The gas station's landscape plan is potentially sufficiently formal, but there is widespread use of groundcovers, which will not provide structure to compensate for the lack of buildings and other elements. Also many of the selected plants for both uses appear to have an informal character. (This is the challenge when designing both a Traditional Townscape neighborhood and sustainable landscape which tends to emphasize native plants; however, about 25% of the plants can be inconsistent with the guideline, if necessary.) Landscape screening is only expected between incompatible uses and no buffers are necessary between any uses in Development Area 4.
31. Parking lot tree requirements are 1 tree per 6 stalls. The gas station requires only one tree which is present; the convenience retail requires 3 trees which may not all be present though locations are available. With the review of construction permits further review of the tree types and placement will be reviewed. Also the 7th Amendment to the Development Agreement eliminated the requirement to provide evergreen trees in parking lots. It does not appear that the locations proposed can be used without compromising the functionality of the parking spaces; however, if the applicant desires evergreen trees, their use can be reviewed with future permits.
32. When the streets were designed within Development Area 4, the developer chose to hold back the street trees from the intersections to allow the building corners' to have a strong presence. This necessitates buildings which respond to the building exposure created by the street tree placement. There is insufficient information to review this but it will be further reviewed with construction permits.
33. The right-of-way, as a publicly owned and maintained facility, must meet certain minimum design requirements to ensure that the construction is durable. Thus extruded curbs are not allowed and root barrier must be installed adjacent to it.
34. The parking overhang provision allows cars to overhang into landscape or hardscape. The paved length of the stall can be reduced up to 2 ft by moving the sidewalk or landscape out to where the wheel stop would be traditionally located, effectively widening the sidewalk or landscape bed. If the car overhangs into a walkway, there must be at least 5 ft. available if the project was fully parked. In addition in some cases, landscape adjacent to the walkway, curb ramps, or other elements may impinge on the walkways and decreases the walkway to less than 5 ft. At utility or building permit, we will confirm that a minimum of 5 ft. of walkway width is available.
35. Trees provided in the parking lot are located in planters with curbs such that car might not damage the tree, even at maturity. However, the likely overhang and dimension of the tree will be reviewed with the construction permits.
36. This application includes a driveway approach to the convenience retail from Ellis Drive NE. Ellis Drive is a finished public roadway with a solid double-yellow center stripe. That stripe configuration would preclude left turn movements into and out of the driveway. This block

was always intended to be able to support a driveway entrance from Ellis Drive NE and the traffic model allows a driveway entrance at this location. The existing roadway striping must be reconfigured to allow left turns into and out of the project. In addition, during utility permit review, the applicant shall consider signage to assist drivers in entering and exiting this driveway.

37. Publicly maintained facilities must not be damaged by actions taken in association with this permit. While street trees and other landscape materials are essential to a pleasant, urban pedestrian environment, proper installation is necessary to ensure that publicly maintained facilities are not damaged by tree root systems. Root barriers, in conjunction with other installation techniques, reduce the impact that these plant materials can have on public facilities. Conversely, existing street trees are a resource to be maintained and protected during construction.
38. In the current configuration, Highlands Drive includes dual, side-by-side left turn lanes that allow cars to queue for a dual left-turn movement onto westbound Ellis Drive. The application includes reducing the length of the westernmost queuing lane by approximately 150 lineal feet (not reducing the number of lanes as the Narrative describes) and replaces that queuing area with sidewalk and planting in order to improve pedestrian facilities on the eastern edge of the block. With the proposed revision to the queuing lane, there is sufficient lane capacity to meet the Level of Service criteria and 95th percentile storage availability for the left turns from northbound Highlands Drive to westbound Ellis Street. 193 ft of storage is necessary (based on the approved roadway configuration and signal timing approved in the March 2002 "South SPAR Traffic Operations Report" by Transpo Group) and 420 ft of storage remain after the roadway reconfiguration shown in the application. In addition, since this public roadway has been in service for many years, a change in the lane and driveway configuration on northbound Highlands Drive may be disorienting to some drivers and special measures should be taken to notify drivers of the lane changes. Additional signage should be temporarily provided for notification and reorientation.
39. Several utility pipes were extended from the ROW into the site for future connection and use. The application does not use all of these stubs and implies that they will remain in the right of way in an unused condition. Unused utility stubs are a maintenance burden and a potential construction hazard. Issaquah policy requires removal of all utility stubs that are not intended for future use.
40. The application includes several on-site retaining walls. The application does not include details about how those walls will be constructed and how stormwater runoff behind the walls will be configured to prevent a public nuisance and ensure wall stability. This information is typically provided during Utility Permit review and approval.
41. The permit shows two new side sewer and two new potable water connections, for the two proposed uses. If the side-sewers from and water services for the various buildings within the block were combined it would be possible to make a single side sewer and a single water connection and minimize disruptions to public right-of-way. Although there is no regulation that prevents two separate side sewer connections or two separate meter connections, the applicant is encouraged to consider this configuration. Services on-site may be combined in

order to minimize construction costs and the impacts to public streets due to service connections.

42. Hazard materials will be stored and used on this site. Due to the presence of hazardous materials on-site, the site will be classified as a cross-connection hazard for potable water supply.
43. The City of Issaquah maintains a database of used and unused capacity within the Issaquah Highlands utility systems. Prior to the completion of construction for this project an appropriate accounting of the impacts of this site on the off-site utility capacity must be provided. Generally speaking it is convenient for that information to be included in the Utility Permit application.
44. Identifying wet and dry utility vaults, meters, equipment, and appurtenances during ASDP review is just as critical as identifying buildings, landscape, pedestrian facilities, roads, and other elements, as last minute additions or modifications can have significant site-wide implications. Changes to buildings, landscape, pedestrian facilities, and roads likewise require permit modification.
45. Access and equipment associated with wet and dry utilities are a necessary part of a functioning community. However, their presence does not enhance the overall project character and objectives. Screening and location can reduce the impact of these necessary elements, including on rooftops especially when uses will look down on them.
46. No lighting information was provided. Lighting review will occur with the building permit review. Appendix A's goals envision that this will be a sustainable community both in design and construction. A key aspect of achieving sustainability is lighting efficiency through the placement, design, and amount of light within the project.
47. Another way of creating a sustainable community is through building and site design. The master developer and City are working together to ensure that the community works toward this goal. Green building and sustainable building techniques shall be encouraged for this project, as indicated in the Sixth Amendment. If LEED certification is not pursued, the applicant should demonstrate to the City how they have complied with this project goal described in Appendix A, Project Principles.
48. Copies of the submittal were distributed to City departments. Comments were received from Public Works Operations, Eastside Fire and Rescue (EF&R), and Issaquah Police Department. Their comments were incorporated into the approval conditions or will be addressed as appropriate with future permits. With additional information on the waste collection, the design will be reviewed with construction permits. No comments were received from the Building and Planning Departments. A separate review with the City's waste purveyor will occur with permits for construction and when the basis for enclosure sizing has been provided; however, there is room for a larger enclosure if necessary.
49. Public notice was distributed as required. No comments were received.

50. The proposal is within the Project Envelope for Issaquah Highlands and so no further SEPA review is required per Appendix I.



Lucy Sloman, AICP, MDRT Program Manager

April 10 2012
Date

Attachment List:

1. Site plans:
sheet A1.0, dated and received February 27, 2012

cc: Keith Niven, Economic Development Director
Tim Diller, Port Blakely Communities
Irma Dorè, Port Blakely Communities
Craig Ramey, Regency
Vicki Stier, Port Blakely Communities
Robert Asahara, Callison
Vina Anderson, Callison

